

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

BRUHN FARMS JOINT VENTURE,
Plaintiff(s),
vs.
FIREMAN'S FUND INSURANCE COMPANY,
Defendant(s).
Trial Dates 3/06/2017-3/10/2017

WITNESS & EXHIBIT LIST
Case No. C13-4106-CJW
Presiding Judge C. J. Williams, Magistrate
Deputy Clerk /s/ djs
Court Reporter Shelly Semmler
Plaintiff Att'y Donald Beattie
Defendant Att'y W. Kurt Henke

*Exhibit Received to Task Force Officer

A=Admitted; APT=Admitted at Pre-Trial; RSO=Received Subject to Objection; OS=Objection Sustained

Marked	COURT Exhibits, Description	Date Offered	Admitted?

Marked	PLAINTIFF Exhibits, Description	Date Offered	Admitted?
1	RCIS 2012 Premium Payment for Each Field	3/07/2017	W/D
2	Depo Ex. 1 – Insurance Policy – General Provisions	3/06/2017	APT
3	Depo Ex. 2 – Hail Loss Summary	3/06/2017	APT
4	Depo Ex. 128 – Fields Insured with Premium 2012	3/06/2017	APT
5	FFIC 253 – Insurance Application	3/10/2017	W/D
6	FFIC 488 – How Determined Payment For Each Line	3/06/2017	APT
7	FFIC 495-6 - Insurance Premium Email	3/08/2017	A
8	FFIC 1113 – Retention Policy	3/10/2017	W/D
9	FFIC – Fireman's Fund Balance Sheet	3/09/2017	A
10	FFIC & RCIS Operating Agreement	3/10/2017	W/D
11	Depo Ex. 38 – RCIS Loss #4	3/06/2017	APT
12	Depo Ex. 39 – RCIS Loss #5	3/06/2017	APT
13	Depo Ex. 37 – Soybean Loss Instruction	3/06/2017	APT
14	Depo Ex. 40 – RCIS 2012 Crop-Hail Loss	3/06/2017	APT
15	11/01/12 Email –Should have Been Worked Much Sooner	3/10/2017	W/D
16	Depo Ex. 9 – Burkhart Notes	3/07/2017	W/D
17	Depo Ex. 55 – excerpts 01/14/13 Email	3/08/2017	A
18	Depo Ex. 12 – Fact Sheet & Strips	3/06/2017	APT

19	10/31/12 Email – High Dollar Loss on 6000 Acres	3/07/2017	W/D
20	12/20/12 – Adjusters Work 10 Hour Days	3/06/2017	APT
21	Depo Ex. 22 – Part of Burkhart Crop	3/10/2017	W/D
22	Depo Ex. 59 – Actual Field Notes	3/06/2017	APT
23	Depo Ex. 131 – Screen Shots	3/06/2017	APT
24	Depo Ex. 10 and 41 – Quest Note Reassigning Claim	3/06/2017	APT
25	FFIC 1425 – FFIC 1427 – Notice of Loss	3/06/2017	APT
26	01/24/13 Email -Hail Losses Paid FFIC 591, 594 & 595	3/07/2017	W/D
27	FFIC 669 – FFIC 679 – Reporting If All Hail Claims in Subject County	3/06/2017	APT
28	Depo Ex. 7 – Township Map of Bruhn & Neighbors	3/06/2017	APT
29	Depo Ex. 30 – 01/04/13 Email of Hansmeier	3/06/2017	APT
30	Depo Ex. 34 – Handwritten Map - Erlemeier	3/10/2017	W/D
31	FFIC 601 – FFIC 608 –Hail Losses Paid in Monona County	3/07/2017	W/D
32	FFIC 543, 546 & 547 – Sornson Hard to Get Ahold of	3/10/2017	W/D
33	Depo Ex. 4 – Sornson- Blame Bruhn for Delay	3/06/2017	APT
34	Depo Ex. 13 – Grieme Review	3/06/2017	APT
35	Depo Ex. 61 – Sornson Fact Sheet – Memo 01/11/13	3/08/2017	A
36	Depo Ex. 62 – Sornson – Enough Strips Left	3/10/2017	W/D
37	Depo Ex. 31 – Fax POL Nov. 5	3/06/2017	APT
38	Depo Ex. 48 – Grieme-Burkhart Email 12/17/12	3/06/2017	APT
39	FFIC 1126 -1128 – Sornson –Adjuster's Special Report Delay Because of RCIS	3/06/2017	APT
40	FFIC 534 – 12/31/12 Email to Keep Emails to a Minimum	3/06/2017	APT
41	FFIC 656 – Company Lawyer	3/08/2017	W/D
42	FFIC 659 – Nelson Told to Stay Out of It	3/10/2017	W/D
43	FFIC 662 – Lawyer Wrote	3/10/2017	W/D
44	FFIC 667 – Record	3/10/2017	W/D
45	Depo FFIC 492 (Ex. 16 – partial)	3/08/2017	A
46	Dep. Ex. 22 (part) – November 19, 2012 Email	3/10/2017	W/D
47	Dep. Ex. 22 (part) – November 19, 2012 Email	3/08/2017	A
48	Depo Ex. 22 – Excerpt - Gutsy	3/08/2017	A
49	Depo Ex. 129 – Burkhart Denial Letter	3/06/2017	APT
50	FFIC 112 – Can't go Back- Deteriorate	3/10/2017	W/D

51	FFIC 494 – December 2012 Email	3/10/2017	W/D
52	FFIC 495 – Throwing People Under Bus	3/06/2017	APT
53	FFIC 537 – Need to Know Adjuster Information	3/06/2017	APT
54	FFIC 538 – 539 – Adjusters Monitor Their Claims	3/10/2017	W/D
55	FFIC 540 - Adjusters Have to Tell	3/06/2017	APT
56	Depo Ex. 55 - FFIC 551 – Adjusters Make Counts, No Efforts to Contact insured	3/10/2017	W/D
57	Depo Ex. 22 – Cerven Email FFIC 107	3/08/2017	A
58	FFIC 112 – Got Rid of Bruhn Years Ago	3/10/2017	W/D
59	FFIC 489 – We have History with this Insured- Burkhart	3/08/2017	A
60	FFIC 1123	3/06/2017	APT
61	FFIC 105-106 –Blame Bruhn for Delay	3/10/2017	W/D
62	Mewes Depo Ex. 82	3/06/2017	APT
63	Mewes Depo Ex. 85	3/06/2017	APT
64	Mewes Depo Ex. 86	3/06/2017	APT
65	Mewes Depo Ex. 87	3/06/2017	APT
66	Mewes Depo Ex. 88	3/06/2017	APT
67	Mewes Depo Ex. 89	3/06/2017	APT
68	Mewes Depo Ex. 90	3/06/2017	APT
69	Mewes Depo Ex. 91	3/06/2017	APT
70	Mewes Depo Ex. 92	3/06/2017	APT
71	Mewes Depo Ex. 93	3/06/2017	APT
72	Mewes Depo Ex. 94	3/06/2017	APT
73	Mewes Depo Ex. 95	3/06/2017	APT
74	Mewes Depo Ex. 96	3/06/2017	APT
75	Mewes Depo Ex. 97	3/06/2017	APT
76	Mewes Depo Ex. 98	3/06/2017	APT
77	Mewes Depo Ex. 99	3/06/2017	APT
78	Mewes Depo Ex. 100	3/06/2017	APT
79	Mewes Depo Ex. 101	3/06/2017	APT
80	Mewes Depo Ex. 102	3/06/2017	APT
81	Mewes Depo Ex. 103	3/06/2017	APT
82	Mewes Depo Ex. 104	3/10/2017	W/D

83	Others Than Bruhn Map	3/10/2017	W/D
84	Bruhn – Monona County	3/10/2017	W/D
85	Bruhn Summary Document (2012)	3/10/2017	W/D
86	Bruhn –Woodbury County	3/10/2017	W/D
87	2012 Bean Map with Counties	3/10/2017	W/D
88	Crawford County Plat	3/10/2017	W/D
89	Monona County Plat	3/10/2017	W/D
90	Doubled Up	3/10/2017	W/D
91	Iowa Corn and Soybeans – Iowa State Publication	3/07/2017	W/D
92	Legal Fees Paid on Hail Case	3/07/2017	W/D
93	Settlement Demand	3/10/2017	W/D
94	Map showing Fields of Beans – All Counties	3/10/2017	W/D
95	Soil Map of All Fields	3/10/2017	W/D
96	Woodbury County Plat	3/10/2017	W/D
97	No Exhibit		
98	Comparison of Field Notes & Screen Shots	3/10/2017	W/D
99	Comparison of Field Notes & Screen Shots – 2	3/10/2017	W/D
100	Comparison of Filed Notes & Screen Shots - 3	3/10/2017	W/D
101	Anderson Reports & CV Attached to Discovery	3/10/2017	W/D
102	Depo Ex. 106 – Anderson Hail Detection	3/10/2017	W/D
103	Depo Ex. 107 –Anderson Supporting Data	3/10/2017	W/D
104	Depo Ex. 108 – Anderson CV	3/07/2017	A
105	Depo Ex. 109 –Bruhn Field Locations	3/06/2017	APT
106	Depo Ex. 110 –County Map	3/06/17	APT
107	Depo Ex. 111 – Hail Index	3/06/2017	APT
108	Depo Ex. 112 – Hail Storm Outlook	3/06/2017	APT
109	Depo Ex. 113 – Storm Variability	3/06/2017	APT
110	Depo Ex. 116 – Coverage Map	3/06/2017	APT
111	Depo Ex. 117 – Data	3/06/2017	APT
112	Depo Ex. 118 – NOAA's Severe Weather Data	3/06/2017	APT
113	Depo Ex. 119 – NOAA's Weather & Climate	3/06/2017	APT
114	Depo Ex. 120 – NOAA	3/06/2017	APT
115	Depo Ex. 121 – Dual Polarization	3/06/2017	APT

116	Depo Ex. 122 – Data Spreadsheet	3/07/2017	W/D
117	Depo Ex. 123 – Data Summary	3/07/2017	W/D
118	Map 1 – Anderson	3/06/2017	APT
119	Map 2 – Anderson	3/06/2017	APT
120	CV of Bruce Babcock	3/10/2017	W/D
121	Report of Bruce Babcock Dated 12/18/14	3/07/2017	W/D
122	Soybean Growth Presentation	3/10/2017	W/D
123	Soybean Physiology	3/10/2017	W/D
124	Evaluating Hail Damage to Soybeans	3/10/2017	W/D
125	Evaluating Hail Damage to Soybeans	3/10/2017	W/D
126	Depo Ex. 124 – CV of Ben Parrott	3/06/2017	A
127	Depo Ex. 125 – Report of Ben Parrott	3/10/2017	W/D
128	Depo Ex. 126 – Planting Date	3/06/2017	APT
129	Planting Population in Soybeans	3/10/2017	W/D
130	Kansas State Agronomy Update	3/10/2017	W/D
131	MSU Soybean Growth Stages	3/06/2017	APT
132	Recovery & Assessment of Hail Damage	3/10/2017	W/D
133	No Exhibit		
134	Soybean Growth Stages	3/06/2017	OS
135	Water Holding Capacity	3/10/2017	W/D
136	Tritsch Report #2	3/10/2017	W/D
137	CV of David Tritsch	3/08/2017	A
138	Tritsch Report #1	3/10/2017	W/D
139	Tritsch Report #3	3/10/2017	W/D
140	Bukfin Calculations	3/10/2017	W/D
141	Defendant's Response to Request for Admissions Dated 02/13/14	3/10/2017	W/D
142	Depo Ex. 27 – 720 7KShort	3/10/2017	W/D
143	No Exhibit		
144	Depo Ex. 38	3/10/2017	W/D
145	No Exhibit		
146	No Exhibit		
147	Depo Ex. 44	3/06/2017	APT
148	Depo Ex. 45	3/06/2017	APT

149	No Exhibit		
150	No Exhibit		
151	No Exhibit		
152	Depo Ex. 66	3/06/2017	APT
153	No Exhibit		
154	Depo Ex. 127	3/10/2017	W/D
155	No Exhibit		
156	No Exhibit		
157	Depo Ex. 130	3/08/2017	W/D
158	No Exhibit		
159	Depo Ex. 133	3/10/2017	W/D
160	FFIC 308 – August Loss Noted	3/10/2017	W/D
161	Policy Declaration Page	3/10/2017	W/D
162	Excerpts from Defendant's Appeal Brief	3/10/2017	W/D
163	Excerpts from Defendant's Statement of Material Facts in Support of Motion for Summary Judgment	3/10/2017	W/D
164	Excerpts from Defendant's Brief in Support of Motion for Summary Judgment	3/10/2017	W/D
165	Excerpts from Defendant's Reply Brief in Support of Motion for Summary Judgment	3/10/2017	W/D
166	Paragraph 3 of Defendant's Motion for Summary Judgment	3/10/2017	W/D
167	No Exhibit		
168	Allianz Global Corporate & Specialty 3M 2015 Results Update – May 2015	3/07/2017	W/D
169	Allianz Global Corporate & Specialty 3M 2016 Results Update – May 2016	3/07/2017	W/D
170	Allianz Global Corporate & Specialty 6M 2014 Results Update –August 2014	3/07/2017	W/D
171	Allianz Global Corporate & Specialty 6M 2015 Results Update – August	3/07/2017	W/D
172	Allianz Global Corporate & Specialty 6M 2016 Results Update – August 2016	3/07/2017	W/D
173	Allianz Global Corporate & Specialty 9M 2014 Results Update – November 2014	3/07/2017	W/D
174	Allianz Global Corporate & Specialty 9M 2015 Results Update – November 2015	3/07/2017	W/D
175	Allianz Global Corporate & Specialty 9M 2016 Results Update – November 2016	3/07/2017	W/D

176	Allianz Global Corporate & Specialty 12M 2016 Results Update – February 2016	3/07/2017	W/D
177	Allianz Global Corporate & Specialty 2014 Results Update – February 2015	3/07/2017	W/D
178	Allianz Global Corporate & Specialty – Annual Report 2011	3/07/2017	W/D
179	Allianz Global Corporate & Specialty – Annual Report 2012	3/07/2017	W/D
180	Allianz Global Corporate & Specialty – Annual Report 2013	3/07/2017	W/D
181	Allianz Global Corporate & Specialty – Annual Report 2014	3/07/2017	W/D
182	Allianz Global Corporate & Specialty – Annual Report 2015	3/07/2017	W/D
183	Allianz Global Corporate & Specialty – Q1 2014 Results Update – May 2014	3/07/2017	W/D
184	AMB Credit Report – July 2013 – Fireman’s Fund Insurance Company	3/07/2017	W/D
185	Zurich Press Statement – April 2016 – Acquisition of RCIS	3/07/2017	W/D
186	Zurich to Acquire RCIS – Zurich Publication	3/07/2017	W/D
187	FFIC 491- 12/17/12 Nelson to Burkhart	3/07/2017	W/D
188	No Exhibit		
189	FFIC 505 – About DeJong	3/10/2017	W/D
190	FFIC 531 ProAg No Claim in Woodbury County	3/10/2017	W/D
191	FFIC 579 – Drought Claims Paid in Monona County	3/07/2017	W/D
192	FFIC 583 – List of Drought Claims Paid in Monona County	3/07/2017	W/D
193	FFIC 589 – Drought Claims Paid	3/07/2017	W/D
194	FFIC 649 – Noting COL from ProAg of 7/20	3/07/2017	W/D
195	Burkhart Email of 12/27/12	3/07/2017	W/D
196	Depo Ex. 29 – DeJong Email	3/07/2017	W/D
197	07/16/13 Henke Refusing to Make Settlement on Claim	3/07/2017	W/D
198	Bean Master Short	3/07/2017	W/D
199	12/27/12 Email ProAg Says No Loss Claimed Woodbury	3/07/2017	W/D
200	Depo Ex. 83	3/06/2017	W/D
201	Adjuster Expense Logs	3/07/2017	A
202	Adjuster Expense Log Summary	3/10/2017	W/D
203	Composite Spreadsheet	3/07/2017	W/D
204	Depo Ex. 87 – Meek	3/10/2017	W/D
205	FFIC 323 & FFIC 324 – 2 Photographs by Grieme	3/06/2017	APT
206	No Exhibit		

207	FFIC 498	3/06/2017	APT
208	Dep. Ex. 14	3/06/2017	APT
209	Dep. Ex. 17	3/10/2017	W/D
210	Dep. Ex. 20	3/07/2017	W/D
211	Dep. Ex. 64	3/06/2017	APT
212	FFIC 78	3/07/2017	W/D
213	FFIC 80	3/07/2017	W/D
214	FFIC 81	3/06/2017	APT
215	Winquist Statement	3/06/2017	APT
216	Map #1	3/10/2017	W/D
217	Map #2	3/10/2017	W/D
218	Map #3	3/10/2017	W/D
219	Map #4	3/10/2017	W/D
220	Map #5	3/10/2017	W/D
221	Tritsch Attachment	3/10/2017	W/D
222	Anderson Attachments	3/10/2017	W/D
223	RCIS Statement	3/10/2017	W/D
250	PA Pro Ag Notice of Prevented Planting or Damage or Loss (Proffer only - did not go to jury)	3/10/2017	A

Marked	DEFENSE Exhibits, Description	Date Offered	Admitted?
A	Policy Declarations (FFIC 1-14)	3/06/2017	APT
B	Policy Provisions (FFIC 15-21)	3/06/2017	APT
C	Burkhart Letter (FFIC 22 & 81)	3/10/2017	W/D
D	NCIS Soybean Manual (FFIC 186-238)	3/10/2017	W/D
E	Claim Packet Loss # 1 (FFIC 255-261)	3/10/2017	W/D
F	Claim Packet Loss # 2 (FFIC 262-300)	3/10/2017	W/D
G	Claim Packet Loss # 3 (FFIC 301-303)	3/10/2017	W/D
H	Claim Packet Loss # 4 (FFIC 304-316)	3/06/2017	W/D
I	Claim Packet Loss # 5 (FFIC 317-390)	3/06/2017	W/D
J	Loss Payment Summary (FFIC 391-488)	3/10/2017	W/D
K	John Expert Report	3/10/2017	W/D
L	John Brown CV	3/09/2017	A
M	John Brown Presentation	3/09/2017	A

N	John Brown Video Clip 1	3/10/2017	W/D
O	John Brown Video Clip 2	3/10/2017	W/D
P	John Brown Video Clip 3	3/10/2017	W/D
Q	John Brown Video Clip 4	3/10/2017	W/D
R	2012 Western Research Farm Summary	3/06/2017	OS
S	Clif Parker Expert Report	3/10/2017	W/D
T	Greg Meek Expert Report	3/10/2017	W/D
U	Steve Griffin Expert Report	3/10/2017	W/D
V	Steve Griffin CV	3/10/2017	W/D
W	John Mewes Expert Report	3/10/2017	W/D
X	John Mewes CV	3/09/2017	A
Y	Crawford County FSA Records (2012)	3/10/2017	W/D
Z	Monona County FSA Records (2012)	3/10/2017	W/D
AA	Woodbury County FSA Records (2012)	3/10/2017	W/D
BB	Records from Berne Cooperative	3/09/2017	A
CC	Records from Mapleton Grain	3/09/2017	A
DD	Field Plats (To be Prepared)	3/10/2017	W/D
EE	Summary of Plant And Harvest Dates (To be Prepared)	3/10/2017	W/D
FF	RCIS Notes (FFIC 27-29, 71-77, 79, 82-83, 181-184)	3/06/2017	W/D
GG	ProAg APH Data (FFIC 30-59) (Proffer only- did not go to jury)	3/09/2017	A
HH	Galen Sornson Summary/Notes (FFIC 89, 1126, 1128, 1146, 1163-1165)	3/06/2017	APT
II	Larry Grieme Summary (FFIC 90)	3/06/2017	APT
JJ	Craig Woodford Summary (FFIC 91)	3/10/2017	W/D
KK	Mike Gamber Summary (FFIC 92)	3/06/2017	APT
LL	Clay Manes Summary (FFIC 93)	3/10/2017	W/D
MM	Curtis Windquist Summary (FFIC 95)	3/06/2017	APT
NN	Jim Baldwin Summary (FFIC 96)	3/10/2017	W/D
OO	ProAg Production Worksheets (Sbs) (FFIC 144-180) (Proffer only - did not go to jury)	3/09/2017	A
PP	Notice of Loss Documents FFIC 245, 1425-1427)	3/06/2017	APT
QQ	Iowa Corn and Soybean County Yields (FFIC 507-530)	3/10/2017	W/D
RR	Monona County Claim Data (FFIC 579-581, 592-599)	3/10/2017	W/D
SS	ProAg Production Worksheets (Corn) (FFIC 610-647)	3/10/2017	W/D

TT	Hail Summary Data (FFIC 669-679)	3/06/2017	APT
UU	NCIS Corn Manual (FFIC 702-724)	3/10/2017	W/D
VV	Proof of Loss Faxed to Alan Bruhn FFIC 1130-1133, 1147, 1166)	3/06/2017	APT
WW	Field Counts (FFIC 1168-1196)	3/10/2017	W/D
XX	Galen Sornson's Plat Book (FFIC 1212-1287)	3/10/2017	W/D
YY	Quest Screenshots with Field Counts (FFIC 1314-1424)	3/10/2017	W/D
ZZ	2012 ProAg MPC1 Documents (Crawford)	3/10/2017	W/D
AAA	2012 ProAg MPC1 Documents (Monona)	3/10/2017	RSO
BBB	2012 ProAg MPC1 Documents (Woodbury)	3/10/2017	W/D
CCC	Pioneer Delivery Tickets	3/10/2017	W/D
DDD	Spreadsheet with RMA Cause of Loss Data for 2012	3/10/2017	W/D
EEE	Plaintiff's Tax Returns	3/10/2017	W/D
FFF	Curt Thompson Summary (FFIC 94)	3/10/2017	W/D
GGG	Ex. 3 to Brad Nelson Letter	3/10/2017	W/D

#	PLAINTIFF Witnesses	Date/Time Sworn		Date/Time Excused	
1	Kirk Lacey	3/06	1:13 PM	3/06	1:53 PM
2	Jeremy Blake	3/06	1:54 PM	3/06	2:10 PM
3	Benjamin Parrott	3/06	2:12 PM	3/06	3:39 PM
4	Terry Nielsen	3/06	3:39 PM	3/06	5:06 PM
5	Larry Grieme	3/07	8:33 AM	3/07	11:20 AM
6	Christopher Anderson	3/07	11:23 AM	3/07	11:56 AM
7	Galen Sornson	3/07	11:57 AM	3/07	2:15 PM
8	Ryan Gotto	3/07	2:16 PM	3/07	2:52 PM
9	Larry Burkhardt (Proffer only 3/9/2017 8:01-8:15 AM)	3/08	8:32 AM	3/08	12:10 PM
10	David Alan Tritsch	3/08	12:11 PM	3/08	2:25 PM
11	Alan Bruhn	3/08	2:25 PM	3/09	12:20 PM

#	DEFENSE Witnesses	Date/Time Sworn		Date/Time Excused	
1	John Brown	3/09	8:44	3/09	10:02
2	Gregory Meek	3/09	12:23	3/09	2:12

Witness & Exhibit List (continued)

3	John Mewes	3/09	2:14	3/09	2:50